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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HABITAT FOR HORSES, a Texas non-profit corporation; AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, A New York non-profit corporation; THE CLOUD FOUNDATION, a Colorado non-profit corporation, TONI MOORE; and DR. DON MOORE, Plaintiffs, v. KEN SALAZAR, in his official capacity as Secretary, U.S. Department of the Interior; ROBERT ABBEY, in his official capacity as Director, Bureau of Land Management; KENT WALTER, in his official capacity as Field Manager, Bureau of Land Management, White River Field Office, Defendants.	10 Civ. 7684 (WHP)

DECLARATION OF AMY A. BARCELO

Amy A. Barcelo, pursuant to the provisions of 28 U.S.C. § 1746, declares, under penalty of perjury, as follows:

1. I am an Assistant United States Attorney in the Office of Preet Bharara, United States Attorney for the Southern District of New York, attorney for the defendants in this action, defendants Ken Salazar, in his official capacity as Secretary, U.S. Department of the Interior;

Robert Abbey, in his official capacity as Director, Bureau of Land Management, and Kent Walter, in his official capacity as Field Manager, Bureau of Land Management, White River Field Office (collectively, the "Government")

2. I submit this declaration in support of the Government's partial motion to dismiss for lack of subject matter jurisdiction and failure to state a claim, and motion for partial summary judgment.

3. Attached as Exhibit A hereto is a true and correct copy of the transcript of the temporary restraining order hearing held in this case on October 20, 2010.

I declare under penalty of perjury that the foregoing is true and correct

Dated: New York, NY
January 28, 2011

_/s/ Amy A. Barcelo_____________
AMY A. BARCELO
Assistant United States Attorney